

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-13 are presently active in this application, Claims 1 and 4 have been amended by the present Amendment.

In the outstanding Office Action, the title was objected to as being non-descriptive; Claims 1, 4-5, 8-10 and 13 were rejected under 35 USC §102(e) as being anticipated by Blakeney, II et al (U.S. Pat. No. 6,466,802) and Claims 2-3, 6-7 and 11-12 were rejected under 35 USC §103(a) as being unpatentable over Blakeney, II et al in view of Bamburak et al (U.S. Pat. No. 6,311,064).

In response to the objection to the title, the title has been amended herewith as suggested in the outstanding Office Action. Accordingly, the objection to the title has been overcome.

In response to the several grounds for rejection on the merits, Claim 1 has been amended to clarify the claimed invention consistent with Applicants' original disclosure. To that end, Claim 1 has been amended to state the disclosed process which results when the output of Step ST-B1 in FIG. 5 is "NO." To that end, amended Claim 1 recites a process vis-à-vis steps ST-A3, ST-A6, and ST-A10 shown in FIG. 2, in a case where the seized SID of the base station is not described in the system table illustrated in FIG. 4. No new matter has been added.

Applicants acknowledge the decision step "NO" in block 35 illustrated in FIG. 2A of Blakeney, II et al. However, although Blakeney, II et al discloses, in block 44 of FIG. 2C, that it is determined whether all preferred systems are exhausted after an answer in the block 35 proved "NO," Blakeney, II et al provide no detailed description which would suggest the

claimed invention or its corresponding support disclosure as per, for example, as in the steps ST-A3, ST-A6, and ST-A10, or the like, in a case where the answer is "NO" in Step ST-B1 in FIG. 5 of Applicants' disclosure. On the contrary, it is respectfully submitted that the only disclosure in Blakeney, II et al. in relation to this point are those provided at column 6, lines 21-33, which in no way renders obvious the subject matter of amended Claim 1.

Accordingly, it is respectfully submitted that the outstanding rejection of Claim 1 has been overcome.

Similarly, Claim 5 recites,

... control means for determining whether the apparatus receives a system ID number of higher priority than the system ID number of the base station seized by said second seizing means, by referring to the contents of said first memory means, and for seizing the base station having the system ID number of higher priority and setting the apparatus in the idle state when the apparatus receives the system ID number of higher priority.

Claim 10 recites,

seizing means for receiving the broadcast system ID number in accordance with the priority data item stored in said first memory means, for seizing the base station having the system ID number received, and for setting the apparatus in an idle state;

second memory means for storing the system ID number of the seized base station if the system ID number of the seized base station is included in said first memory means in accordance with burn-off operation during the idle state; and

control means for turning off the apparatus in response to the turn-off instruction and for seizing the base station having the system ID number stored in said second memory means and setting the apparatus in the idle state when the user operates the apparatus and inputs a turn-on instruction for turning on the apparatus.

It is respectfully submitted that these features recited in Claims 5 and 10 likewise are patentably distinguishing over the cited prior art.

Therefore, it is respectfully submitted that each of independent Claims 1, 5 and 10 and the claims dependent therefrom patentably define over the art of record.

Consequently, in view of the present amendment and in light of the above comments, Claims 1-13 are believed to be in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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